



(8th Cir. 2013)(to sue a state actor in his or her individual capacity, "a plaintiff must expressly and unambiguously state so in the pleadings, otherwise, it will be assumed that the defendant is sued only in his or her official capacity"). Plaintiff is advised that he must sign the supplement to the amended complaint.

In accordance with the foregoing,

**IT IS HEREBY ORDERED** that the Clerk shall not issue process or cause process to issue on the amended complaint at this time.

**IT IS FURTHER ORDERED** that plaintiff shall file a written supplement to his amended complaint within thirty (30) days from the date of this Order, stating whether he is suing the named defendants in their official capacity, individual capacity, or both individual and official capacities, in accordance with the specific instructions set forth above.

**IT IS FURTHER ORDERED** that plaintiff's failure to supplement his amended complaint in accordance with this Court's instructions may result in the dismissal of this action, without prejudice and without further notice to him.

Dated this 23<sup>rd</sup> day of January, 2015.



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**UNITED STATES MAGISTRATE JUDGE**